

Division of Solid and Hazardous Waste
P.O. Box 414
Trenton, NJ 08625-0414
Tel. #609-984-6880
Fax. #609-633-9839

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael B. Goebner, President
Carteret Biocycle Corporation
24 Middlesex Avenue
Carteret, NJ 07008

RE: SD&G Aggregates, Inc.
General Class B Recycling Center Approval
Borough of Carteret, Middlesex County
Facility No. 1201001379

Dear Mr. Goebner:

This is in response to your letter dated October 24, 2000, wherein you requested a modification to the site plan referenced in the General Class B Recycling Center Approval originally issued to SD&G Aggregates, Inc. on October 29, 1998.

Our review of the modification request has been completed and as a result we have found the request to be acceptable and the revised General Approval is enclosed. Condition III.5 and Condition III.6(e) have been revised to reflect the modification. Conditions have been incorporated within this Approval that must be complied with in order for it to remain valid. In addition, the language and format of this Approval has been updated. The updated language in these conditions is currently being included in all Class B General Approvals.

The Department will consider amendment or modification of the specific terms of the conditions of this Approval if a written request is submitted by certified mail within twenty (20) days of receipt of this Approval. Said written request must clearly state the proposed amendment or modification, and the factual basis for the request. This Approval is non-transferable.

If you have any questions regarding this matter, please contact Robin Heston, of my staff, at (609) 984-6650 or by e-mail at rheston@dep.state.nj.us.

Sincerely,

Thomas Sherman,
Assistant Director
Office of Permitting & Technical Programs

TS:rh
Enclosure

c: Rai Belonzi, Chief, Bureau of Compliance & Enforcement, w/enc.
Brian Petitt, Bureau of Compliance & Enforcement, w/enc.
Richard Hills, Middlesex County Solid Waste Coordinator, w/enc.
Municipal Clerk, Borough of Carteret, w/enc.

Division of Solid and Hazardous Waste
P.O. Box 414
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RECYCLING CENTER GENERAL APPROVAL

Under the provisions of N.J.S.A. 13:1E-1 *et seq.* and N.J.S.A. 13:1E-99.11 *et seq.* known as the Solid Waste Management Act and the New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 *et seq.* known as the Recycling Rules, this General Approval is hereby issued to:

S.D.&G. Aggregates, Inc.

FACILITY TYPE:	Recycling Center for Class B Materials
LOT NO.:	3.02
BLOCK NO.:	1
MUNICIPALITY:	Borough of Carteret
COUNTY:	Middlesex
FACILITY REGISTRATION NO.:	1201001379

This general approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This General Approval shall not prejudice any claim the State may have to riparian land, nor does it allow the holder to fill or alter, or allow to be filled or altered, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) Zone or subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits or approvals from the Department of Environmental Protection.

October 29, 1998
Issuance Date

May 16, 2001
Modification Date

December 12, 2001
Expiration Date

Signed by Thomas Sherman, Assistant Director
Thomas Sherman
Assistant Director
Office of Permitting & Technical Programs

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Scope of Approval

This approval, along with the referenced application documents herein specified, shall constitute the sole Recycling Center General Approval for the operation of a recycling center by S.D.&G. Aggregates, Inc. (holder) located in Borough of Carteret, Middlesex County, New Jersey. Any registration, approval or permit previously issued by the Division of Solid and Hazardous Waste or its predecessor agencies is hereby superseded.

This general approval does not convey any property rights of any sort, or any exclusive privilege. Failure to comply with all of the conditions specified herein may result in revocation of this approval and/or may result in such other regulatory or legal actions that the Department is authorized by law to institute, including but not limited to, civil and administrative penalty assessments.

Regulated Activities at the Recycling Center

Section I of this approval contains the general conditions applicable to all recycling centers. Section II of this approval contains general operating requirements for all recycling centers for receipt, storage, processing or transfer of Class B recyclable materials. Section III of this approval contains specific conditions applicable to the operations of the recycling center.

Recycling Center Description

The recycling center is a Class B facility owned by S.D.&G Aggregates, Inc. and operated by Carteret Biocycle Corporation. The recycling center is located at 24 Middlesex Avenue on Block 1, Lot 3.02, in Borough of Carteret, Middlesex County. This regional recycling center receives petroleum contaminated soil from soil remediation contractors and street sweepings from municipalities. The recycling center is authorized to accept petroleum contaminated soil and street sweepings, Monday through Friday and to process petroleum contaminated soil Monday through Saturday.

The recycling center is also utilized for finished product storage and equipment storage as shown on the site plan. The recycling center markets clean soil from the site.

Section I - General Conditions Applicable to All Recycling Centers

1. Duty to Comply

Pursuant to N.J.A.C. 7:26A-3.1(a), all persons issued a general approval to operate a recycling center for Class B, Class C and/or Class D recyclable material pursuant to N.J.A.C. 7:26A-1 *et seq.* shall comply with all conditions of the approval.

2. Duty to Post a Sign

Pursuant to N.J.A.C. 7:26A-3.5(f), the holder of this general approval shall prominently post and maintain a legible sign, at or near the entrance to the recycling center, indicating that the recycling center is an approved New Jersey Department of Environmental Protection recycling center. The sign shall also indicate the following:

Hours of operation of the recycling center;
Listing of the source separated materials to be received;
The size, weight, or other restrictions regarding materials to be received;
The maximum amount of contaminants allowed in each load;
Warning that loads will be inspected and will be barred from offloading if the contaminant level is exceeded; and
Notice that the person offloading shall certify the amount of material per load, municipality of origin of the material and any other information contained on the Recyclable Material Receipt Form.

3. Duty to Reapply

- (a) Pursuant to N.J.A.C. 7:26A-3.6(a), application for renewal of this general approval shall be submitted at least three months prior to expiration of the current approval and shall comply with all requirements for renewal set forth in N.J.A.C. 7:26A-3.6 *et seq.* One copy of the application for renewal of the general approval shall be submitted by the applicant to the municipal clerk of the municipality in which the recycling center is located, and to the solid waste or recycling coordinator of the county in which the recycling center is located.
- (b) Pursuant to N.J.A.C. 7:26A-3.6(b), the applicant for renewal of this general approval shall certify in writing to the Department that there have been no changes in the operations of the recycling center since the issuance of the general approval in order to renew the approval in its existing form. In the event that there have been changes in the operations of the recycling center or where changes are planned, the application for renewal of a general approval shall be accompanied by a written request to modify the general approval in accordance with N.J.A.C. 7:26A-3.10.

- (c) Pursuant to N.J.A.C. 7:26A-3.6(c), in a case where the holder of this general approval does not comply with conditions 3(a) and (b) of this section and continues to operate without renewal of the general approval, the Department may take actions which include, but are not limited to, the following:
 - (1) Appropriate enforcement action including the assessment of penalties under N.J.S.A. 13:1E-9; and
 - (2) Require the holder of this general approval to file an application as a new applicant for a general approval in accordance with N.J.A.C. 7:26A-3.2 and pay the application fee as per N.J.A.C. 7:26A-2.
- (d) Pursuant to N.J.A.C. 7:26A-3.6(h), all persons granted a renewal pursuant to N.J.A.C. 7:26A-3.6(d) shall continue to pay the annual fee as specified in N.J.A.C. 7:26A-2.

4. Approval Modifications

- (a) Pursuant to N.J.A.C. 7:26A-3.10(a), the holder of this general approval shall obtain prior approval from the Department for any modification of the general approval.
- (b) Pursuant to N.J.A.C. 7:26A-3.10(b), modifications to the general approval to operate a recycling center which require the prior approval of the Department include the following:
 - (1) Any change affecting the conditions of this general approval; and
 - (2) Any change to the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18 or 3.19, except that changes in end-market information submitted pursuant to N.J.A.C. 7:26A-3.2(a) 7 shall not require the prior approval of the Department but shall be handled in accordance with condition 4(e) of this section.
- (c) Pursuant to N.J.A.C. 7:26A-3.10(c), the holder of this general approval shall notify the Department in writing of the intended modification and shall update the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18 or 3.19. The holder of this general approval shall also provide written notice to the solid waste or recycling coordinator of the applicable county of any request to modify a general approval.
- (d) Pursuant to N.J.A.C. 7:26A-3.10(e), the holder of this general approval shall not institute the modification until it receives written approval from the Department.
- (e) Pursuant to N.J.A.C. 7:26A-3.10(f), within one week of any change to the end-market information submitted to the Department pursuant to N.J.A.C. 7:26A-3.2(a)7, the holder of this general approval shall submit to the Department a written notification which details any change in the use of the recyclable material transferred from the recycling center to an end-market or in the end-market location to which the recyclable material is transferred. The written notification shall be sent to:

New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
Office of Permitting and Technical Programs
P.O. Box 414
Trenton, New Jersey 08625-0414

5. Approval Revocation

Pursuant to N.J.A.C. 7:26A-3.13(a), the Department may revoke this general approval upon a determination that the holder of the general approval has:

- (a) Violated any provision of N.J.S.A. 13:1E-1 *et seq.*, the New Jersey Statewide Mandatory Source Separation and Recycling Act, or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 13:1E-1 *et seq.* and the New Jersey Statewide Mandatory Source Separation and Recycling Act;
- (b) Violated any solid waste utility law at N.J.S.A. 48:2-1 *et seq.* or 48:13A-1 *et seq.*, or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 48:2-1 *et seq.* or 48:13A-1 *et seq.*;
- (c) Violated any provision of any laws related to pollution of the waters, air or land surfaces of the State or of any other State or Federal environmental laws including criminal laws related to environmental protection;
- (d) Refused or failed to comply with any lawful order of the Department;
- (e) Failed to comply with any of the conditions of this general approval issued by the Department;
- (f) Transferred a general approval to a new owner or operator pursuant to N.J.A.C. 7:26A-3.15 without the prior approval of the Department;
- (g) Has failed to obtain any required permit or approval from the Department or other State or Federal agency; or
- (h) Has committed any of the acts which are criteria for denial of a general approval set forth in N.J.A.C. 7:26A-3.11.

6. Transfers

- (a) Pursuant to N.J.A.C. 7:26A-3.15(a), this general approval shall not be transferred to a new owner or operator without the Department's prior approval.
- (b) Pursuant to N.J.A.C. 7:26A-3.15(a)1, a written request for permission to allow a transfer of this general approval must be received by the Department at least 60 days in advance of the proposed transfer of ownership or operational control of the

recycling center. The request for approval shall include the following:

- (1) The name, address and social security number of all prospective new owners or operators;
 - (2) A written certification by the proposed transferee that the terms and conditions contained in the general approval will be met by the proposed transferee; and
 - (3) A written agreement between the current owner or operator of the recycling center and the proposed new owner or operator containing a specific future date for transfer of ownership or operational control.
- (c) Pursuant to N.J.A.C. 7:26A-3.15(a)2, a new owner or operator may commence operations at the recycling center only after the existing approval has been revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5.
- (d) Pursuant to N.J.A.C. 7:26A-3.15(a) 3, the holder of this general approval remains liable for ensuring compliance with all conditions of the approval unless and until the existing approval is revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5.
- (e) Pursuant to N.J.A.C. 7:26A-3.15(a)4, compliance with the transfer requirements set forth in this subsection shall not relieve the holder of this general approval from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or regulatory provision.
- (f) Pursuant to N.J.A.C. 7:26A-3.15(b), the transfer of a controlling interest in the stock or assets of the recycling center that is the subject of this general approval shall constitute a transfer of this general approval.

7. Operating Record and Reporting Requirements

- (a) Pursuant to N.J.A.C. 7:26A-3.17(a), the holder of this general approval shall maintain daily records of all materials received, stored, processed or transferred. Said records shall indicate, at a minimum:
- (1) A daily record of the amounts of each recyclable material by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons, cubic yards, cubic feet or gallons. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons;
 - (2) The name, address and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amounts, in tons, cubic yards, cubic feet or gallons, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the

conversion ratio of the materials from cubic yards to tons; and

- (3) The amount of residue disposed of, expressed in tons, cubic yards, cubic feet or gallons, including the name and New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of the residue from cubic yards to tons.
- (b) Pursuant to N.J.A.C. 7:26A-3.17(b), the holder of this general approval shall retain the information required pursuant to N.J.A.C. 7:26A-3.2(a)16iii for three calendar years following the calendar year for which reporting is required pursuant to condition 7(c) of this section.
- (c) Pursuant to N.J.A.C. 7:26A-3.17(c), the holder of this general approval shall submit an annual report containing monthly summary statements of the information required pursuant to in condition 7(a) of this section to the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, on or before March 1 of each year, for the previous calendar year. The summaries shall include the following:
 - (1) Monthly totals of the amount of recyclable material received from each customer by municipality of origin;
 - (2) Monthly totals of the amount of recyclable product transferred to each end-market; and
 - (3) The amount of residue disposed of during each month.
- (d) Pursuant to N.J.A.C. 7:26A-3.17(e), the holder of this general approval shall certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report required at condition 7(c) of this section.
- (e) Pursuant to N.J.A.C. 7:26A-3.17(f), all information submitted to the Department pursuant to conditions 7(a) through (d) of this section shall be handled in accordance with the requirements of the Public Records law, N.J.S.A. 47:1-1 *et seq.* The Department will hold confidential all end-market information, as well as information pertaining to the municipality of origin of recyclable material, submitted pursuant to N.J.A.C 7:26A-3.2, 3.7, and 3.17 through 3.20 for a period of two years from the date on which the information is submitted to the Department, where specified as confidential by the applicant and where there are no health, safety or environmental concerns which require the release of the information, as determined by the Department.
- (f) Pursuant to N.J.A.C. 7:26A-4.4 (a), the holder of this general approval shall provide a recycling tonnage report by February 1 of each year to all municipalities from which

recyclable material is received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center, as well as the date on which the recyclable materials were delivered to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

8. Conformance to District Solid Waste Management Plan

Pursuant to N.J.A.C. 7:26A-4.2, the recycling center shall not commence operations unless and until it is included in the applicable district solid waste management plan.

9. Uniform Construction Code

Pursuant to N.J.A.C. 7:26A-4.1(b), the construction of the recycling center that is the subject of this general approval shall be in conformance with the New Jersey Uniform Construction Code, N.J.S.A. 52:27D-119 *et seq.*, and the rules promulgated pursuant thereto.

10. Right of Entry

- (a) Pursuant to N.J.A.C. 7:26A-4.3(a), the New Jersey Department of Environmental Protection or an authorized representative acting pursuant to the County Environmental Health Act, N.J.S.A. 26:3A2-1 *et seq.* shall have the right to enter and inspect any building or other portion of the recycling center at any time in order to determine compliance with the provisions of all applicable laws or rules and regulations adopted pursuant thereto. This right to inspect includes, but is not limited to:
 - (1) Sampling any materials on site;
 - (2) Photographing any portion of the recycling center;
 - (3) Investigating an actual or suspected source of pollution of the environment; and,
 - (4) Ascertaining compliance or non-compliance with the statutes, rules or regulations of the Department, including conditions of the recycling center approval issued by the Department.
- (b) Pursuant to N.J.A.C. 7:26A-4.3(b), the right of entry specified in condition 10(a) of this section shall be limited to normal operating hours for the purpose of reviewing and copying all applicable records, which shall be made available to the Department during an inspection and submitted to the Department upon request.

Section II - General Operating Requirements

1. General Operating Requirements for All Recycling Centers

Pursuant to N.J.A.C. 7:26A-4.1(a), the recycling center shall be operated in compliance with the following operational standards:

- (a) All recyclable materials received, stored, processed or transferred at the recycling center shall conform to the following criteria:
 - (1) The recyclable materials shall have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials from the incoming waste stream;
 - (2) The recyclable materials shall consist only of recyclable materials which the Department has approved at Section III of this general approval, pursuant to N.J.A.C. 7:26A-3, for receipt, storage, processing or transfer at the recycling center; and
 - (3) Recyclable materials may be commingled to the extent authorized in this general approval in Section III.
- (b) Residue shall not be stored on site for a period in excess of six months;
- (c) All residue shall be removed from the recycling center site in accordance with each district's waste plan;
- (d) All residue shall be stored separately from recyclable material and in a manner which prevents run-off, leakage or seepage from the residue storage area into, on or around the soil of the residue storage area;
- (e) The operation and related activities of the recycling center shall be in conformance with all applicable Federal, State, county, municipal, and other local laws and regulations including, but not limited to, nuisance codes, the noise control rules at N.J.A.C. 7:29, the air pollution control rules at N.J.A.C. 7:27, the stream encroachment rules at N.J.A.C. 7:13, the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A, the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-1 *et seq.*, and with all applicable fire and safety codes;
- (f) The recycling center shall be operated in such a manner that the recycling center property is maintained free of litter and debris and such that tracking of mud into nearby streets is prevented.

2. General Operating Requirements for Recycling Centers Receiving Petroleum Contaminated Soil

- (a) The preparedness and prevention plan and the contingency plan contained in the approved documents must be maintained on-site and updated as necessary.
- (b) Upon detection of a release of contaminants to the environment, the facility shall perform the following cleanup steps:
 - (1) Stop the release;
 - (2) Contain the released contaminants;
 - (3) Clean up and manage properly the released contaminants and other materials; and
 - (4) If necessary, repair or replace any leaking soil containment systems prior to returning them to service.
- (c) Upon closure of the facility the owner or operator shall remove or decontaminate petroleum contaminated soils, containment system components, and structures and equipment and manage them as hazardous waste, unless the materials are not hazardous waste under NJAC 7:26G-5.
- (d) All equipment and portions of the facility designated for the storage or processing of petroleum contaminated soils shall be visually inspected each operating day for integrity and leaks.
- (e) Records shall be maintained for all visual inspections. These records shall document that inspections were performed, any problems found, and the subsequent correction of such problems. All records shall be kept for a minimum of three years.
- (f) The facility shall keep a record of each shipment of petroleum contaminated soil accepted for processing. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. All tracking records must be kept for a minimum of three years. Records for each shipment shall include the following information:
 - (1) The name and address of the transporter who delivered the soil to the facility;
 - (2) The name and address of the generator from whom the soil was sent;
 - (3) The NJDEP registration number of the transporter;
 - (4) EPA ID number (if applicable) of the generator;
 - (5) The quantity of soil accepted;
 - (6) The date of acceptance.
- (g) The facility shall maintain on-site a written operating record showing analysis records, tracking records, and summary reports of incidents requiring implementation of the contingency plan. This information shall be made available to Department personnel upon request and shall be kept for a minimum of three years.

Section III - Specific Conditions Applicable to the Recycling Center

1. Approved Recyclable Materials

The following source separated Class B recyclable materials, which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials, may be received, stored, processed or transferred at this recycling center:

- (a) Non-hazardous petroleum contaminated soils which otherwise would be ID 27 if not recycled.
 - (1) Only soil contaminated with the following compounds shall be accepted and processed at this facility: gasoline, kerosene, jet fuel, Numbers 1 through 6 fuel oil, and used oil. Used oil shall be defined as any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities. No soils may be accepted that have been contaminated with materials that are other waste materials, or waste by-products, such as sludges.
 - (2) No soils with free petroleum product or other liquids, as determined by USEPA SW-846, Method 9095, Chapter 6.0, shall be accepted at the facility.
 - (3) No hazardous waste, as defined by N.J.A.C. 7:26G-5, shall be accepted by the facility.
- (b) NJDOT Street Sweepings (that meet NJ Non-Residential Direct Contact Soil Clean-up Criteria)

At no time shall the receipt, storage, processing, or transferring of non-source separated construction and demolition material be allowed at this recycling center. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation to the conditions of this Approval.

2. Commingling

The facility may not receive, store, process or transfer source separated petroleum contaminated soils (ID 27) and street sweepings with any other Class B recyclable materials. The commingling of petroleum contaminated soil and NJDOT street sweepings shall only be allowed after the testing requirements in Section III.7 have been met.

3. Contaminants

The maximum amount of contaminants, as defined in N.J.A.C. 7:26A-1.3, allowed in each incoming load of Class B recyclable material shall be limited to 1% by volume. Incidental by-product materials shall not be considered to be contaminants.

4. By-Products

Incidental amounts of rebar, metal, soil, and other by-products which adhere to the Class B recyclable materials, as specified in Section III of this Approval, and which are returned to the economic mainstream as raw material or products, may be received, stored, processed, or transferred at this recycling center. The receipt of such incidental amounts of these materials need not be separately accounted for, but the storage and end-markets for these materials shall be subject to specific conditions of this Approval.

5. Approved Designs, Plans and Reports

- (a) The holder of this general approval shall operate the recycling center and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26A-1 *et seq.*, the conditions of this general approval, and the following general approval application documents, which are incorporated herein by reference:
 - (1) Site plan: Sheets SP1 and A1, prepared by Leonard Busch Associates, signed and sealed by Leonard Busch, P.E., NJ License No. 9531, dated October 13, 2000.
 - (2) S.D.&G. Aggregates, Inc., Application for Recycling Center General Approval, prepared by AJV Engineering, signed by Angelo J. Valetutto, P.E., dated March 1, 1996.
 - (3) S.D.&G. Aggregates, Inc., Addendum to the March 1, 1996 recycling center application, prepared by AJV Engineering, signed by Angelo J. Valetutto, P.E., dated April 17, 1996.
 - (4) S.D.&G. Aggregates, Inc., Submission of Middlesex County Board of Chosen Freeholders Solid Waste Plan Amendment Resolution, prepared by AJV Engineering, signed by Angelo J. Valetutto, P.E., dated August 16, 1996.
 - (5) S.D.&G. Aggregates, Inc., Submission of Waterfront Development Permit, prepared by AJV Engineering, signed by Angelo J. Valetutto, P.E., dated September 3, 1996.
 - (6) S.D.&G. Aggregates, Inc., Submittal of revised site plan and calculations, prepared by AJV Engineering, signed by Angelo J. Valetutto, P.E., dated November 14, 1996.
 - (7) S.D.&G. Aggregates, Inc., Modification request, prepared by AJV

Engineering, signed by Angelo J. Valetutto, P.E., dated February 12, 1997.

- (8) S.D.&G. Aggregates, Inc., Response to technical requirements for contaminated soils, prepared by S.D.&G. Aggregates, Inc., signed by Michael Goebner, President, Carteret Biocycle Corporation, dated October 23, 1997.
 - (9) S.D.&G. Aggregates, Inc., Modification request, prepared by S.D.&G. Aggregates, Inc., signed by Michael Goebner, President, Carteret Biocycle Corporation, dated October 29, 1997.
 - (10) S.D.&G. Aggregates, Inc., Submittal of new site plan, prepared by S.D.&G. Aggregates, Inc., signed by Michael Goebner, President, Carteret Biocycle Corporation, dated October 29, 1997.
 - (11) S.D.&G. Aggregates, Inc., Request for transfer of ownership, signed by Michael Goebner, President, Carteret Biocycle Corporation, dated August 21, 1998.
 - (12) S.D.&G. Aggregates, Inc., Request for transfer of ownership back to S.D.&G. Aggregates, signed by Michael Goebner, President, Carteret Biocycle Corporation, dated May 18, 1999.
 - (13) S.D.&G. Aggregates, Inc., Request for modification of sampling requirements, signed by Michael Goebner, President, Carteret Biocycle Corporation, dated April 19, 1999.
 - (14) S.D.&G. Aggregates, Inc., Request for modification of sampling requirements, signed by Michael Goebner, President, Carteret Biocycle Corporation, dated December 29, 1999.
 - (15) S.D.&G. Aggregates, Inc., Request for acceptance of street sweepings, signed by Michael Goebner, President, Carteret Biocycle Corporation, dated March 15, 2000.
 - (16) S.D.&G. Aggregates, Inc., Request for site plan modification, signed by Michael Goebner, President, Carteret Biocycle Corporation, dated October 24, 2000.
 - (17) S.D.&G. Aggregates, Inc., Submittal of additional information, signed by Michael Goebner, President, Carteret Biocycle Corporation, dated April 19, 2001.
- (b) In case of conflict, the conditions of this approval shall have precedence over the general approval application documents listed above and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs.

- (c) One complete set of the general approval application documents listed in conditions 4(a)(1) through (17) above, this general approval, and all records, reports including the information required at condition 7(a) of Section I and plans as may be required pursuant to this approval shall be kept on file at the recycling center and shall be available for inspection by authorized representatives of the Department or delegated agents upon presentation of credentials.

6. Approved Operations

(a) Hours of Operation

- (1) Hours of operation for receiving, the source separated recyclable material specified in Condition 1 above shall be limited to:

7:00 a.m. to 5:00 p.m., Monday through Friday

- (2) Hours of operation for storing, processing, or transferring source separated recyclable material specified in Condition 1 above shall be limited to:

7:00 a.m. to 1:00 a.m., Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday

(b) Material Deliveries

Material deliveries to the recycling center shall be scheduled in such a manner as to minimize truck queuing on the recycling center property. Under no circumstances shall delivery trucks be allowed to back-up or queue onto public roads.

(c) Maximum Daily Capacity

The recycling center may receive no more than 1,538 tons per day of the recyclable materials specified in Section III.1 of this Approval.

(d) Maximum Weekly Capacity

The recycling center may receive no more than 7,652 tons per week of the recyclable materials specified in Section III.1 of this Approval.

(e) Material Storage Inside

- (1) The total amount of unprocessed/processed Class B recyclable material stored in the "soil storage warehouse" shall not exceed 18,287 cubic yards. Materials stored in the "soil storage warehouse" shall be stored only in those areas designated for that purpose as indicated on the approved site plan drawing.

- (2) "Area D" on the approved site plan may be used to store either unprocessed or processed soils. However, unprocessed and processed soils shall not be stored in "Area D" at the same time.

- (3) "Area E" on the approved site plan may be used for soil mixing prior to

introducing the unprocessed soil to the processing equipment. "Area E" shall not be used for the storage of material.

(4) If at any time, the amount of material stored inside the building exceeds 18,287 cubic yards, the recycling center shall immediately cease receiving any unprocessed material until the amount of material stored inside the building falls below 18,287 cubic yards

(5) Unprocessed recyclable material shall not remain on-site, in its unprocessed form, for more than one (1) year.

(6) All processed material shall be stored separately from residues.

(f) Processed Materials Storage Outside

(1) The total amount of processed Class B recyclable materials stored outside shall not exceed 31,674 cubic yards. Processed material shall be stored only in those areas as designated for that purpose as indicated on the approved site plan drawings.

(2) If at any time, the amount of processed material stored on-site exceeds 31,674 cubic yards, the recycling center shall immediately cease processing activities until the amount of processed material falls below 31,674 cubic yards.

(3) All processed material shall be stored separately from residues.

(g) By-Products Storage

By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents.

(h) Horizontal and Vertical Controls

(1) Horizontal and vertical control points for the unprocessed and processed materials stockpile areas shall be set and maintained on-site. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation height of 18 feet above the existing grade for the stockpile areas located inside the building and 25 feet above the existing grade for the processed stockpile areas located outside.

(2) Metal pipe or metal rods or the equivalent as approved by the Department shall be used to establish these control points.

(i) Site Access

Ingress and egress of the facility shall be restricted to Middlesex Avenue only.

(j) Dust Control

Methods of effectively controlling dust shall be implemented at the facility in order to prevent offsite migration.

(k) Fire Protection & Emergency Response

Fire fighting and emergency procedures shall be posted, and shall include the telephone numbers of local fire, police, ambulance, and hospital facilities. If a fire occurs on-site, the facility shall immediately notify the local fire official and within twenty-four (24) hours report the incident to the N.J.D.E.P. Environmental Action Hotline at 1-877-927-6337.

(l) Hazardous Waste

Any suspected or prohibited hazardous waste, as defined at N.J.A.C. 7:26G-5, found in a load accepted at the recycling center shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at 1-877-927-6337. The owner/operator of the recycling center shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel.

(m) Increase in Design Capacity

Pursuant to N.J.A.C. 7:26A-3.11(a), the holder of this general approval shall obtain prior approval from the Department for any increase in the design capacity of the facility. The facility shall submit a request to the Department, in writing, for the proposed increase and shall submit updated information pursuant to the requirements of N.J.A.C. 7:26A-3.2(a), 3.4, or 3.8, as applicable. The facility shall also provide written notice of the request to the solid waste or recycling coordinator of the applicable district.

(n) ISRA Cleanup Regulations

The facility must comply with all aspects of the ISRA cleanup being conducted at the site by Reichold Chemicals. This includes, but is not limited to, providing access to the groundwater monitoring wells, which are located beneath the building.

7. Sampling Protocol and Testing for Unprocessed Contaminated Soil

- (a) Sampling plan, collection, preservation, and handling for the sampling and analysis required in this Approval must be performed in accordance with New Jersey's Technical Requirements for Site Remediation at N.J.A.C. 7:26E and the latest edition of "New Jersey Department of Environmental Protection, Hazardous Waste Programs, Field Sampling Procedures Manual". The Technical Regulations may be purchased from West Publishing at (800) 808-WEST. The sampling manual may be purchased

from: NJDEP Maps and Publications, P.O. Box 402, Trenton, N.J. 08625. All analysis must be performed by a New Jersey certified laboratory.

- (b) All soils must be tested using the most current approved test methodology in accordance with USEPA SW-846.
- (c) Petroleum contaminated soil shall be sampled either at the point of generation or at the recycling center. Soils from different generation sites shall be segregated at the facility until the sampling results are received. The sampling and analysis shall be implemented as follows:
 - (1) Every 100 cubic yards of contaminated soil from each site shall be sampled and analyzed for TPH in the following manner: a representative sample from every 20 cubic yards of contaminated soil shall be taken and these five samples shall be composited into one sample and analyzed. When the volume of soil is less than 100 cubic yards, a representative sample of every 20 cubic yards, or a fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.
 - (2) Every 800 cubic yards of contaminated soil shall be sampled and analyzed for total volatile organic compounds (VOC), in the following manner: a representative sample from every 100 cubic yards of contaminated soil shall be taken and these samples shall be composited into one sample and analyzed. When the volume of soil is less than 800 cubic yards, a representative sample of every 100 cubic yards, or fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.
 - (3) The sampling results shall be used to determine the maximum contaminant feed rate or maximum contaminant concentration for the processing equipment in accordance with the Air Quality Permit and shall also demonstrate that the material is non-hazardous for the above contaminants in accordance with N.J.A.C. 7:26G-8.5.

8. Sampling and Testing Protocol for Unprocessed Street Sweepings

- (a) Street sweepings shall be sampled either at the point of generation or at the recycling center. Street sweepings from different generation sites shall be segregated at the facility until the sampling results are received. The sampling and analysis shall be implemented as follows:
 - (1) Every 100 cubic yards of street sweepings from each site shall be sampled and analyzed for TPH in the following manner: a representative sample from every 20 cubic yards shall be taken and these five samples shall be composited into one sample and analyzed. When the volume is less than 100 cubic yards, a representative sample of every 20 cubic yards, or a fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.
 - (2) Every 800 cubic yards of street sweepings shall be sampled and analyzed for total

volatile organic compounds (VOC), in the following manner: a representative sample from every 100 cubic yards shall be taken and these samples shall be composited into one sample and analyzed. When the volume is less than 800 cubic yards, a representative sample of every 100 cubic yards, or fraction thereof, shall be taken and these samples shall be composited into one sample and analyzed.

- (3) The sampling results shall be used to determine the maximum contaminant feed rate or maximum contaminant concentration for the processing equipment in accordance with the Air Quality Permit and shall also demonstrate that the material is non-hazardous for the above contaminants in accordance with N.J.A.C. 7:26G-5.

9. Sampling and Testing Protocol for Processed Material End Products

- (a) Processed material end products, for uses other than as landfill cover material or Department approved Brownfields projects, shall be sampled and analyzed for total petroleum hydrocarbons (TPH), total volatile organic compounds (VOC), and all contaminants listed in the Soil Cleanup Criteria (SCC) at N.J.A.C. 7:26E. The sampling procedure shall be implemented as follows:

- (1) Every 100 cubic yards of processed soil shall be sampled and analyzed for the above contaminants in the following manner: a representative sample from every 20 cubic yards of processed soil shall be taken and these five samples shall be composited into one sample and analyzed.
- (2) Other levels of testing may be allowed on a case-by-case basis as determined by use criteria in accordance with Department guidance and regulations. Applications for case-specific testing requirements must be made to the Bureau of Landfill & Recycling Management.

- (b) Processed material end products to be used in road construction projects shall be sampled every 1,000 cubic yards for TPH and VOC in the following manner: a representative sample from every 100 cubic yards of processed soil shall be taken and the samples shall be composited into one sample and analyzed.

- (c) The following criteria shall be used to determine the end use of the processed material and the allowable contamination levels for each use:

- (1) For unrestricted general use:

200 ppm TPH and all individual organic contaminants less than or equal to 50% and inorganic contaminants less than or equal to 75% of the most stringent direct contact soil cleanup criteria (SCC).

- (2) For soils being used as landfill cover material: the analytical requirements of the individual landfills shall be complied with.

- (3) For soils being used as fill material in Brownfields projects, the requirements

(including sampling frequency and analytical parameters) shall be approved by the individual Site Remediation Program case manager on a case-by-case basis.

- (4) Other levels of contamination may be allowed on a case-by-case basis as determined by use criteria and levels of contamination in accordance with Department guidance and regulations. Applications for case-specific Certificates of Authority to operate beneficial use projects pursuant to N.J.A.C. 7:26-1.7(g) must be made to the Bureau of Resource Recovery and Technical Programs before any use of the processed material end products.
- (d) The Department reserves the right to revise these conditions at any time.
- (e) Any processed material end products that do not meet the above criteria must be reintroduced to the treatment process for further treatment. After treatment, the processed material end products must be reanalyzed in accordance with the above criteria.
- (f) All analysis records must be kept for a minimum of three years and made available for inspection by state and local officials upon request.

End of Section III